

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

ROBERT BLALOCK and MARTHA
BLALOCK,

Plaintiffs,

v.

SIGNIFY NORTH AMERICA
CORPORATION,

Defendant.

Civil Action
File No.:

**SIGNIFY NORTH AMERICA CORPORATION'S
PETITION FOR REMOVAL**

TO: The Honorable Judges of the United States District Court for the Northern
District of Georgia, Atlanta Division

COMES NOW, Signify North America Corporation by and through its
undersigned counsel, and files its Petition for Removal and respectfully show this
Court the following:

1. Signify is a named defendant in a civil action brought against it in the
State Court of Gwinnett County, State of Georgia, in this District and Division, the

same being entitled Robert Blalock and Martha Blalock v. Signify North America Corporation, Civil Action File No. 22-C-01725-S1.

2. The Summons and Complaint in that action were filed in the State Court of Gwinnett County on March 25, 2022, Exhibit "A", as were first received by Signify by service through Signify's registered agent on March 31, 2022.

3. Plaintiff is and, at all times relevant, was a resident of Gwinnett County and is a citizen of the State of Georgia.

5. Signify is now, was at the commencement of this suit, and at all times since been a corporation organized and existing under the laws of the Delaware and having its principal place of business in New Jersey. The parent company is Signify Holding NV, a publicly traded company in the Netherlands.

Thus, at all times relevant, Defendant Signify North America Corporation is a Delaware corporation solely owned by Signify Holding NV and is considered a citizen of New Jersey and Delaware of determining if complete diversity exists.

5. Plaintiffs are citizens of Georgia. Therefore, the action described above is a civil action with a claim of which this Court has original jurisdiction, and it is one that may be removed to this Court by Defendant pursuant to the provisions of 28 U. S. C. §§ 1332, 1367, and 1441 et seq., in that there is complete diversity among the parties and the Defendant is not a resident of the State of Georgia, the Parties are not residents

of the same state, and the amount in controversy exceeds \$75,000.00, exclusive of interest and costs.

6. Plaintiffs' Complaint alleges that on September 18, 2020, a lightbulb that was manufactured by Signify was defective and caught fire in Plaintiffs' business and caused substantial damage to Plaintiff's business and inventory. Plaintiffs are seeking damages for the damage done to their business.

7. Specifically, Plaintiffs allege in their complaint that the amount of damages sustained was no less than \$710,147.16.

8. In total, Plaintiff is claiming at least \$710,147.16. Thus, Plaintiffs' alleged damages exceed the jurisdictional sum of greater than \$75,000, exclusive of interests and costs.

9. This action is a civil action of which this Court has original jurisdiction under the provisions of Title 28 of the United States Code §1332(a) and accordingly, is one which may be removed to this Court by Defendant pursuant to the provisions of Title 28 of the United States Code §1441, in that it is a civil action in which the matter in controversy exceeds the sum of \$75,000.00 exclusive of interests and costs and is between citizens of different states.

10. Signify attached a copy of Signify's Notice of Removal marked as Exhibit "B."

11. This action is currently pending in the State Court of Gwinnett County, Georgia, which is within the jurisdiction of the Northern District of Georgia, Atlanta Division. 28 U.S.C.A. § 1446(a).

WHEREFORE the Defendant prays the above action removed to this Court remain in this Court's jurisdiction.

This 22nd day of April, 2022.

Chartwell Law
Attorney for Signify North America Corporation

By: /s/ Robert A. Luskin
ROBERT A. LUSKIN
GA State Bar No. 004383
rluskin@chartwelllaw.com
5051 Peachtree Corners Circle, Unit 200
Norcross, GA 30092
(404) 410-1151 Phone
(850) 668-7972 Fax

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

ROBERT BLALOCK and MARTHA
BLALOCK,

Plaintiffs,

v.

SIGNIFY NORTH AMERICA
CORPORATION,

Defendant.

Civil Action
File No.:

RULE 7.1 CERTIFICATE OF COMPLIANCE

The foregoing document is double spaced in 14 point Times New Roman font and complies with the type-volume limitation set forth in Local Rule 5.1(B).

/s/ Robert A. Luskin
ROBERT A. LUSKIN
GA State Bar No. 004383
rluskin@chartwelllaw.com
5051 Peachtree Corners Circle, Unit 200
Norcross, GA 30092
(404) 410-1151 Phone
(850) 668-7972 Fax

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

ROBERT BLALOCK and MARTHA
BLALOCK,

Plaintiffs,

v.

SIGNIFY NORTH AMERICA
CORPORATION,

Defendant.

Civil Action
File No.:

CERTIFICATE OF SERVICE

This is to certify that I electronically filed this with the Clerk of Court using the CM/ECF system which will automatically send e-mail notification of such filing to the following attorneys of record:

Eric D. Miller, Esq.
Miller Insurance Law Enterprise
115 Perimeter Center Place, South Terraces, Suite 340
Atlanta, GA 30346

This 22nd day of April , 2022.

/s/ Robert A. Luskin
ROBERT A. LUSKIN
GA State Bar No. 004383
rluskin@chartwelllaw.com
5051 Peachtree Corners Circle, Unit 200
Norcross, GA 30092
(404) 410-1151 Phone;(850) 668-7972 Fax